

REMARKS

This amendment is in response to the Office Action of May 15, 2006. The present Office Action is non-final, as the Examiner presented a new grounds of rejection, with new art.

Claims 1-6 and 11-19 and 22-26 were rejected under 35 USC 103(a) as being unpatentable over Hertz US 6,460,035 in view of Bieganski US 6,321,221. This rejection is respectfully traversed. The Examiner is respectfully referred to the prior Office Action response filed on February 6, 2006, which addressed the differences between the claimed invention and the teachings of Hertz. The Examiner has now introduced Bieganski for the teaching a way of rating books that a person read. Col. 17, lines 16-20. In the cited passage, it is clear that Bieganski proposes this added suggestion to rate books read by the person to additionally "get detailed information on the likes and dislikes of the customers." Consequently, this information is used to *further augment* the generating of a serendipity-weighted recommendation. As taught by Bieganski, serendipity-weighted recommendation is formulated by taking in data *from people other than the customer reading the book*. In fact, Bieganski states the serendipity-weighted recommendation:

" ... includes item recommendation data and community item popularity data. The processing system is also configured to produce a set of item serendipity control values in response to the serendipity function and the community item popularity data, and to combine the item recommendation data with the set of item serendipity control values to produce a serendipity-weighted and filtered recommendation output set." See Col. 3, lines 25-40. (*emphasis added*).

Thus, one reading the teachings of Bieganski would not be motivated to derive a method that generates rating data or evaluation information limited to text read by the

customer. In fact, *the opposite is required*, as the community data is key to the recommendation output. Consequently, Bieganski would not be combinable with the teachings of Hertz to suggest the now claimed invention.

Additionally, the independent claims were amended to further recite elements that additionally distinguish the claims from the cited art. As claimed, the feature of partly augmenting the rating data with transaction data associated with either the purchase records or transactions concerning the text content previously read by the customer, was added. Support for this added embodiment is found in the specification as-filed. The Examiner is referred to the specification, *Page 17, lines 18-23*, for support regarding the purchase and transaction data, which can be accessed to augment the rating data or evaluation information. It is also noted that although Bieganski discusses purchase records, the purchase records are not concerning the text content read by the customer. The records noted by Bieganski can be from the *community of users* or from specific *groups of users*, not for text content read by the customer.

In other dependent and independent claims, the Applicants have more fully defined the text data to include one or more of (a) text-based, (b) text and graphics based, (c) magazine based, (d) computer generated text based, (e) illustration based, or (f) written and graphical material based. Support for this definition is found at *Page 10, lines 17-21*.

In claim 28, an embodiment for evaluating a single search item is provided. Support can be found with reference to Figures 5 and 6, and the related description in the specification.

Claims 7-10, and 28-35 were rejected under 35 U.S.C. § 103(a) as being obvious and unpatentable over Herz in view Bieganski and further in view of Reisman (U.S. Patent No. 6,611,862).

In view of the remarks noted above, the combination of Herz, Bieganski and Reisman still fail to discloses each and every feature of the claim embodiments, because Reisman fails to remedy the deficiencies of Herz and Bieganski. Thus, even if Herz and Bieganski were combined with Reisman, the combination would fail to render the claimed embodiments obvious.

Accordingly, after entry of the present Amendment, the application is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6903. If any other fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805. (Order No. SONYP008). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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